

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA)	
<i>ex rel.</i> Eric Fields,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:14 CV 1321 RWS
)	
THE BI-STATE DEVELOPMENT)	
AGENCY OF THE MISSOURI-)	
ILLINOIS METROPOLITAN)	
DISTRICT, et al.,)	
)	
Defendants.)	

MEMORANDUM & ORDER

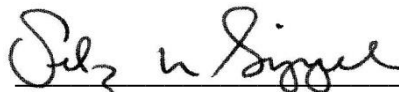
Defendant Bi-State moves to stay proceedings pending resolution of Bi-State’s petition for a writ of *certiorari* filed with the United States Supreme Court. Bi-State seeks review of the Eight Circuit’s opinion concluding that Bi-State is not entitled to Eleventh Amendment sovereign immunity in this matter. I have “broad discretion to stay proceedings as incident to [my] power to control [my] own docket.” See Clinton v. Jones, 520 U.S. 681 (1997). I find that allowing proceedings to continue in this matter “would defeat the purpose of qualified immunity.” See Britton v. Thompson, No. 7:08CV5008, 2009 WL 2365389 (W.D. Mo. July 29, 2009). “Qualified immunity is immunity from suit rather than a mere defense to liability.” Pearson v. Callahan, 555 U.S. 223, 237 (2009).

Accordingly,

IT IS HEREBY ORDERED that defendant Bi-State's motion to stay proceedings [no. 157], is **GRANTED** pending the Supreme Court of the United States' ruling on Bi-State's petition for a writ of *certiorari* in United States ex rel. Fields v. Bi-State Development Agency, etc., Appeal No. 16-3783.

IT IS FURTHER ORDERED that defendant Bi-State must immediately notify me and plaintiff Eric Fields when the Supreme Court rules on its petition for a writ of *certiorari*.

IT IS FURTHER ORDERED that the hearing in this matter set for Tuesday, November 7 is **VACATED**.

A handwritten signature in cursive script, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 6th day of November, 2017.